

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 EB-08 INR-07 NSAE-00 FAA-00 LAB-04 SIL-01
IO-13 TRSE-00 OMB-01 PM-05 H-01 L-03 NSC-05
PA-01 PRS-01 SP-02 SS-15 USIA-06 EURE-00 /088 W
-----067596 281704Z /46

P R 281548Z SEP 77
FM USMISSION USBERLIN
TO SECSTATE WASHDC PRIORITY 5371
AMEMBASSY BONN PRIORITY
INFO AMEMBASSY BRUSSELS
AMEMBASSY LONDON
AMEMBASSY PARIS

C O N F I D E N T I A L USBERLIN 2518

BRUSSELF FOR FAA

E O 11652: GDS
TAGS: PGOV EAIR AKB WB
SUBJ: AEROAMERICA SUIT AGAINST DEUTSCHE ANGESTELLTEN GEWERKSCHAFT

REF: A) USBERLIN 2137, B) USBERLIN 2274

1. DER TAGESSPIEGEL RAN ON 22 SEPTEMBER THE FOLLOWING ARTICLE
CONCERNING AN AEROAMERICAN SUIT AGAINST THE DEUTSCHE ANGESTELLTEN
GEWERKSCHAFT (DAG): BEGIN TEXT: AEROAERICA SUES DAG

THE AMERICAN AIRLINE AEROAMERICA HAS NOT INSTITUTED A SUIT
AGAINST DAG BEFORE THE LANDGERICHT BERLIN. THE SUIT CONCERNS
DECLARATIONS OF A DAG REPRESENTATIVE MADE ON TELEVISION WHICH
EXPRESSED DOUBT ABOUT THE SAFETY OF AEROAMERICA FLIGHTS FROM
AND TO BERLIN. END TEXT.

2. U.S. ADMINISTRATOR FOR AEROANAUTICS (USAA) HAS LEARNED
THAT AEROAMERICA PLANS TO CALL HIM AS A WITNESS IN ITS BEHALF
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FOR THE LITIGATION REFERRED TO IN THE TAGESSPIEGEL ARTICLE.
IN ADDITION TO THE FACT THAT THE USAA IS NOT RPT NOT A
FLIGHT SAFETY TECHNICIAN WHO COULD GIVE EXPERT TESTIMONY
ON AIR SAFETY, HE DOES NOT RPT NOT CONSIDER IT APPROPRIATE
TO BECOME INVOLVED IN LITIGATION BETWEEN AN AIR COMPANY AND
A UNION REPRESENTING AIRLINE PERSONNEL. MISSION CONCURS
THAT IT WOULD NOT BE DESIRABLE FOR THE USAA TO APPEAR AS A

WITNESS IN THIS CASE.

3. MISSION CONCURS THAT THE USAA SHOULD SUBMIT FOLLOWING
LETTER TO COUNSEL FOR AEROAMERICA:

BEGIN TEXT:

IT HAS COME TO MY ATTENTION THAT AEROAMERICA HAS SUB-
MITTED MY NAME AS A WITNESS IN ITS BEHALF IN A LEGAL DISPUTE
WITH THE DEUTSCHE ANGESTELLTEN GEWERKSCHAFT.

WHILE I HAVE, IN COORDINATION WITH APPROPRIATE OFFICIALS
IN THE FAA, SUPPORTED IN TWO PRESS STATEMENTS (REFTELS) AERO-
MERICA'S STATURE INsofar AS SAFETY IS CONCERNED, AS YOU KNOW
I AM NOT A TECHNICAL EXPRT IN THE FIELD OF AIR SAFETY. IN ADDITION,
I DO NOT CONSIDER IT APPROPRIATE TO MY POSITION, AS THE USAA
IN BERLIN, TO BE INVOLVED IN LITIGATION BETWEEN AN AIR COMPANY AND
A LABOR UNION.

ACCORDINGLY, I REQUEST THAT YOUR COMPANY WITHDRAW MY
NAME AS A POSSIBLE WITNESS IN THIS DISPUTE.

SINCERELY,
END TEXT.

4. FYI, AS A MEMBER OF THE U.S. FORCES BERLIN, THE USAA
MAY NOT BE CALLED TO TESTIFY AS A WITNESS IN A CASE BEFORE
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A BERLIN COURT EXCEPT WITH THE CONCURRENCE OF THE U.S.
MISSION LEGAL ADVISER ACTING ON BEHALF OF THE U.S. COMMANDANT.
IN THE EVENT THAT AEROAMERICA DOES NOT RPT NOT WITHDRAW THE
NAME OF THE USAA AS A WITNESS IN THIS CASE, WE WOULD INTEND
NOT RPT NOT TO CONSENT TO HIS APPEARANCE AT TRIAL. MOREOVER,
THERE IS NO LAW IN FORCE IN BERLIN WHICH A BERLIN COURT IS
COMPETENT TO INTERPRET AND APPLY IN THIS CASE. END FYI.

5. BONN: ACTION REQUESTED: CONCURRENCE WITH GENERAL
APPROACH, AND TEXT OF LETTER PARA 3.GEORGE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, LITIGATION
Control Number: n/a
Copy: SINGLE
Sent Date: 28-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770353-0807
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From: USBERLIN
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770911/aaaaaisb.tel
Line Count: 104
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Litigation Codes:
Litigation History:
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